



MONTANA WETLAND NEWS

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News Bits about Montana's Wetlands – To submit your news item, please e-mail Isaul@mt.gov

June Wetland Tour in Southwestern Montana

The [Wetland Habitat Tour and Technical Session](#) involved almost 60 individuals who visited wetland restoration and mitigation sites in the Madison, Ruby and Beaverhead Valleys, and Centennial Valley/Red Rocks Wildlife Refuge. Thanks to all who participated and led tours.

The next **Montana Wetland Council** meeting is Wednesday October 22 in Helena. Contact Isaul@mt.gov with agenda items. The Watershed Coordination Council meeting is October 23.

Wetland Strategic Framework - Implementation Update

The Restoration Working Group is evaluating new opportunities in the Farm Bill to protect wetlands, riparian systems, and grasslands. (Tom Hinz Chair). The Mapping, Monitoring and Assessment Working Group announces that two new grants have been awarded by the Montana Land Information Advisory Council for wetland mapping in the Yellowstone River watershed and year 2 funding in Southwest Montana (Linda Vance Chair). The Vulnerable Wetlands and Public Policy Working Group is looking into water availability issues for created ponds, water rights and beneficial uses for wetlands, and the Clean Water Restoration Act (Lynda Saul Chair).

Regulation/Legislation

Federal Clean Water Act

Recent U.S. Supreme Court rulings have reduced the jurisdiction of the Clean Water Act over wetlands and riparian areas resulting in increased review time for permit applicants. Senators Oberstar and Feingold have introduced Clean Water Restoration Act (CWRA) (<http://thomas.loc.gov/cgi-bin/query/z?c110:H.R.2421>) legislation to restore the original intent of the Clean Water Act. DEQ and DNRC are developing a joint position paper on CWRA. The Environmental Council of the States has offered a two part solution to the criticisms with CWRA, 1) replace the statute's term "navigable waters" with the term "waters of the United States" which is used in the CWA regulation, and 2) make delegation of the federal wetland program or portions of the program a viable option by providing grant funds to States. I encourage everyone to get involved in this important piece of federal legislation.

The bi-monthly membership [newsletter](#) by the Association of State Wetland Managers, Inc. includes articles about the new mitigation rule and state programmatic general permits.

Regional US Army Corps of Engineers Wetland Delineation Manuals

[Great Plains Supplement and Western Mountains Supplement](#) are now in a one-year trial period. Use of the Great Plains supplement is required. Use of the Western Mountains supplement will be required starting in July. During the one-year trial period, delineators may submit a comment form to the supplement team describing their experience using the supplements, and how the results compared to what would have been obtained using the '87 Manual. See the [public notice section](#) for additional background.

In addition to the mid-west flooding ([Iowa Flooding](#)) and ([A Flood Of Warnings](#)). Some communities in Western Montana have seen flooding this spring. Read Montana [articles](#).

The 2 to 8 year flood events on the East Gallatin and Bitterroot River show the dangers of building in or near floodplains and the complacency that has followed a decade of drought. The East Gallatin event is reported to have flooded approximately 140 homes.

- On May 24, 2008 the average daily flow at the East Gallatin ([view DNRC photos here](#)) gage site was 957cfs, a 4 to 8 year flood event. Flows peaked at 1,650 cfs on May 25.
- On May 20, 2008 the average daily flow at the Bitterroot River ([view DNRC photos here](#)) gage site near both Darby and Florence were 8,600 cfs, a 5.5 to 5.9 year flood event at Darby and a 2.4 to 2.8 year flood event at Florence.

Local Government

Contractors for the Governor's Task Force for Riparian Protection and the Montana DEQ Wetland Program are available to give presentations and assistance to local governments, watershed groups, and others about local land use planning tools and public health and safety issues that can be used to protect wetlands, rivers and streams. Please contact Mary Vandenbosch and Jeff Erickson at <mailto:Headwaters@q.com> and Janet Ellis at jellis@mtaudubon.org.

The 17 member Ravalli County Stream Setbacks Committee (SSC) has spent nearly a year drafting streamside protection regulations. The Planning Commission is seeking public comment of the [document](#). Read a recent Ravalli Republic [article](#) about the SSC and the draft proposal.

Outreach to Real Estate Professionals

Montana Watercourse (MTWC) developed a continuing education course focused on wetland and riparian issues for real estate agents with EPA/DEQ grant funding. MTWC has delivered eleven courses across the state reaching 500 real estate professionals and also developed a guidebook. [Representing Property With Wetlands and Riparian Areas - A Guide for Montana's Realtors](#) MTWC continues to seek funding to support outreach the efforts, contact Debbie Earl dzarnt@montana.edu.

New Report, On-line Course, Workshops

"State Wetland Protection: Status, Trends & Model Approaches" Environmental Law Institute March 2008. The final report of a 50-state study that described and analyzed seven "core" components of state wetland programs: state laws, regulations, and programs; monitoring and assessment; restoration programs and activities; water quality standards; public-private partnerships; coordination among state and federal agencies; and education and outreach activities. This report focuses on status and trends, model programs, and summary data for all 50 states. Available for free [download](#).

River Network has just re-released a free on-line course – Understanding the Clean Water Act <http://www.cleanwateract.org>

Wetlands 2008 [conference](#) is in Portland Oregon Sept 16-18. I encourage participation in this national wetland conference. Partial scholarships are available contact <mailto:lsaul@mt.gov>.

Montana participated in the EPA's Western Wetland Monitoring and Assessment Training Workshop 2008 in Rapid City in May. PowerPoint presentations of the workshop are available as pdf-files www.internationalwaterinstitute.org under the 'Western Wetland Monitoring and Assessment Workshop 2008'-'Workshop Proceedings' link.